UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

In re:) Case No. 03-04095-MH3-11) Jointly Administered
JAMES RIVER COAL COMPANY,) Chapter 11
et al.,) Adversary Proceeding
Debtors.) No. 05-409
ANTHONY H.N. SCHNELLING, as)
Trustee of The JRCC Unsecured)
Creditor Liquidating Trust,)
Plaintiff/Appellant,	3:07-0578
) JUDGE ECHOLS
v.)
ROTHSCHILD INC.,))
)
Defendant/Appellee.)
)

ORDER

For the reasons stated herein and in the Memorandum entered contemporaneously herewith, the Court rules as follows:

- (1) Oral argument would not assist the Court in resolving the issues presented in the pending appeal and therefore, Appellee Rothschild Inc.'s Motion For Oral Argument (Docket Entry No. 15), is hereby DENIED
- (2) The Bankruptcy Court's final judgment in this adversary action entered April 6, 2007, granting summary judgment in favor of Defendant/Appellee Rothschild Inc. and against

Plaintiff/Appellant Anthony H.N. Schnelling, as Trustee of the JRCC Unsecured Creditor Liquidating Trust, is hereby AFFIRMED.

(3) Entry of this Order on the docket shall constitute entry of final judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

It is so ORDERED

OBERT L. ECHOLS

UNITED STATES DISTRICT JUDGE